

To the Honorable Council  
City of Norfolk, Virginia

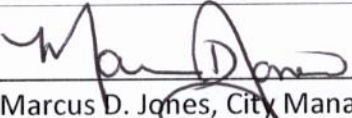
November 10, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special exception to operate commercial recreation center at 5038 East Princess Anne Road – Zai's Playworld**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:   
Marcus D. Jones, City Manager

Item Number: **R-5**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exception – commercial recreation center
- IV. **Applicant:** Zai's Playworld
- V. **Description:**
  - The applicant is currently operating a child day care in the bay adjacent to the proposed recreation center.
  - The proposed center would be available to those enrolled in the day care as well as open to the general public.
  - The use is permitted in the C-2 district by special exception.

	Proposed
Hours of Operation	10:00 a.m. until 8:00 p.m., seven days a week

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated October 22, 2015 with attachments
- Proponents and Opponents
- Ordinance

**Planning Commission Public Hearing: October 22, 2015**

Executive Secretary: George M. Homewood, AICP, CFM *GH*

Planner: Susan Pollock Hart, CFM *SP*

Staff Report	Item No. 4	
Address	5038 E. Princess Anne Road	
Applicant	Zai's Playworld	
Request	Special Exception	Commercial recreation center
Property Owner	Meredith Investments, LLC	
Site Characteristics	Site Area/Space	.9 acre./2,000 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Fox Hall
	Character District	Suburban
Surrounding Area	North	R-8 (Single-Family): Multi-Family structure and single-family homes
	East	C-2: Single-family homes
	South	C-2: Norfolk Tire and Rims; Auto Express
	West	C-2: Entertainment Establishment and other retail services





**A. Summary of Request**

The applicant is proposing to operate a commercial recreation center within a small shopping center.

**B. Plan Consistency**

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as commercial.

**C. Zoning Analysis**

**i. General**

- The applicant is currently operating a child day care in the bay adjacent to the proposed recreation center.
- The proposed center would be available to those enrolled in the day care as well as open to the general public.
- The use is permitted in the C-2 district by special exception.

	Proposed
Hours of Operation	10:00 a.m. until 8:00 p.m., seven days a week

**ii. Parking**

- The site is located in the C-2 zoning district located in the Suburban Character district, which requires one off-street parking space per 250 square feet of building area for retail uses and commercial recreation centers.
- One bike space per 2,000 square feet for a commercial use is required.
  - Sufficient parking is provided on site for the commercial recreation center.
  - The applicant's space is 2,000 square feet which will require the installation of one bike rack.

**iii. Flood Zone**

The property is in the X Flood Zone, which is a low risk flood zone.

**D. Transportation Impacts**

- Institute of Transportation Engineers (ITE) figures estimate that this proposed recreation use will generate 40 fewer vehicle trips per day than the prior commercial use on this site.
- Based upon ITE data, the prior commercial use on this site would be expected to generate 86 weekday trips while the proposed recreation center operation would be expected to generate 46 trips on weekdays.

**E. Impact on the Environment**

- The applicant has agreed to make landscaping and site improvements to the site order to bring the site closer to conformance with the landscaping and buffering requirements in the *Zoning Ordinance*.
  - Landscaping will be installed along the front portion of the building where the applicant's establishment is located along E. Princess Anne Road.

**F. Impact on Surrounding Area/Site**

By requiring this use to conform to the conditions listed below, the proposed commercial recreation center should not have a negative effect on the surrounding neighborhood.

**G. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**H. Civic League**

- Notice was sent to the Fox Hall Civic League on August 12.
- The applicant contacted the civic league on July 30.

**I. Communication Outreach/Notification**

- Legal notice was posted on the property on September 15.
- Letters were mailed to all property owners within 300 feet of the property on October 8.
- Legal notification was placed in *The Virginian-Pilot* on October 8 and October 15.
- Legal notification was placed in *The Virginian-Pilot* on September 10 and September 17.

**J. Recommendation**

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the commercial recreation center shall be limited to 10:00 a.m. until 8:00 p.m. seven days a week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) Landscaping and site improvements shall be installed in accordance with the landscape and site improvement plan, attached hereto and marked "Exhibit A." The landscaping shall be installed and maintained in accordance with the approved plan.
- (c) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (d) The establishment shall maintain a current, active business license at all times while in operation.

- (e) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any debris.
- (f) A copy of this special exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this special exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (g) No business license shall be issued until condition (b), have been implemented fully on the site.

**Attachments**

Location Map  
Zoning Map  
Application  
Landscape and Site Improvement Plan  
Notice to the Fox Hall Civic League  
Letter of support from Fox Hall Civic League

**Proponents and Opponents**

**Proponents**

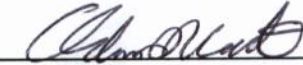
Kyrah Sizemore  
5038 E. Princess Anne Road  
Norfolk, VA 23502

**Opponents**

None



Form and Correctness Approved:

By   
Office of the City Attorney

Contents Approved:

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A COMMERCIAL RECREATION CENTER KNOWN AS "ZAI'S PLAYWORLD" ON PROPERTY LOCATED AT 5038 EAST PRINCESS ANNE ROAD, SUITE C.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted authorizing the operation of a Commercial Recreation Center known as "Zai's Playworld" on property located at 5038 East Princess Anne Road, Suite C. The property which is the subject of this Special Exception is more fully described as follows:

Property located on the southwest corner of East Princess Anne Road and Halstead Avenue fronting 240 feet, more or less, along the northern line of East Princess Anne Road, 150 feet, more or less, along the eastern line of Halstead Avenue, and 150 feet, more or less, along the western line of Fleetwood Avenue; premises numbered 5038 East Princess Anne Road, Suite C.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the commercial recreation center shall be limited to 10:00 a.m. until 8:00 p.m., seven days per week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) Landscaping and site improvements shall be installed in accordance with the landscape and site improvement plan, attached hereto and marked "Exhibit A." The landscaping shall be installed and maintained in accordance with the approved plan.
- (c) All landscaping installed on the site premises

shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.

- (d) The establishment shall maintain a current, active business license at all times while in operation.
- (e) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any debris.
- (f) A copy of this special exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this special exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (g) No business license shall be issued until condition (b) has been implemented fully on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or



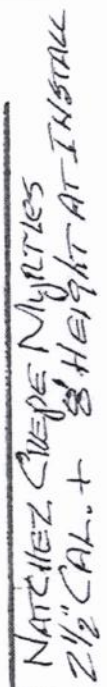
the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (1 page)





Location Map



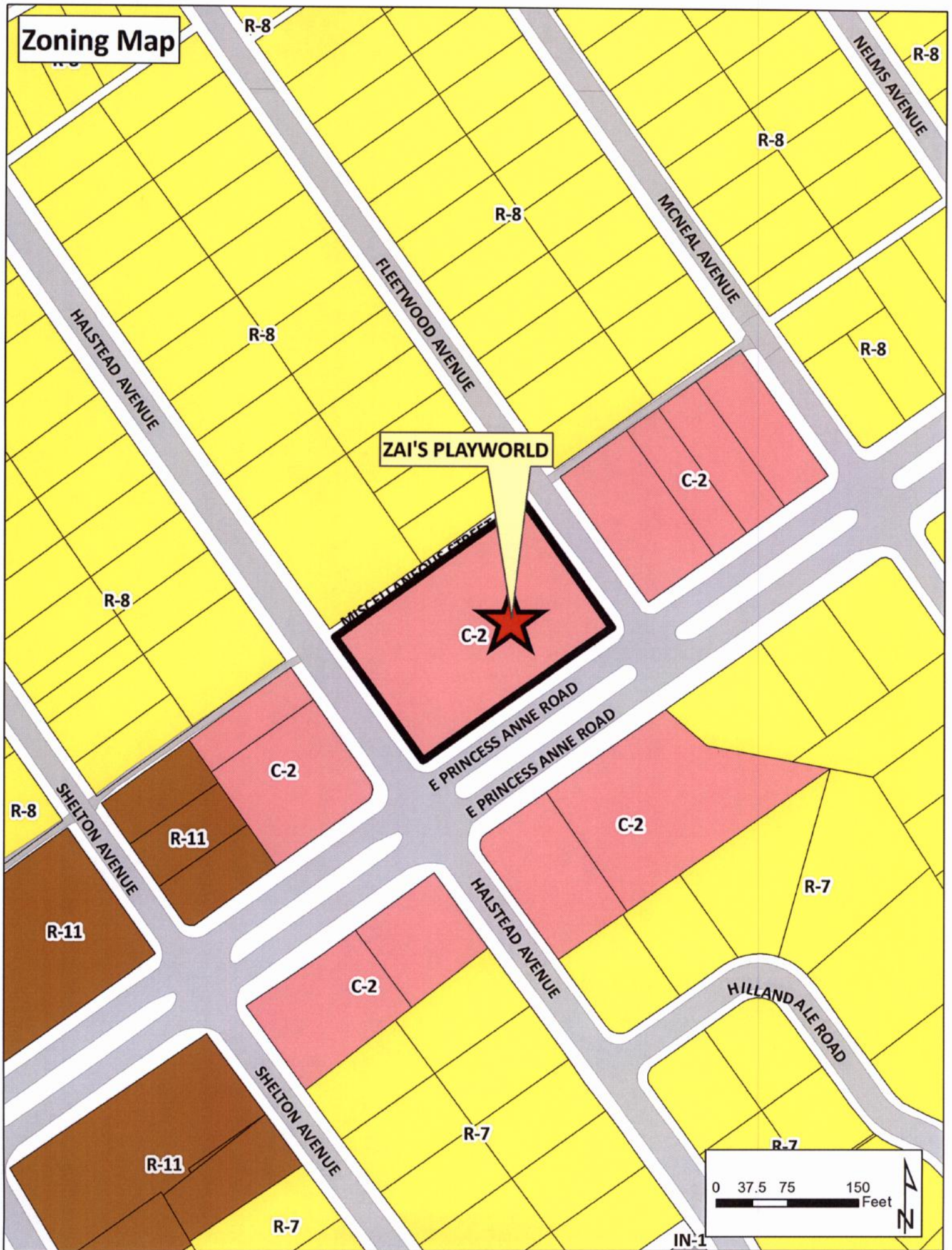
ZAI'S PLAYWORLD

0 25 50 100 Feet





# Zoning Map







## APPLICATION SPECIAL EXCEPTION

Special Exception for: Commercial Recreation Center

Date of application: 9/2/2015

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 5038 (Street Name) E Princess Anne RD

Site C

Existing Use of Property Thrift Shop

~~Current Building Square Footage~~ \_\_\_\_\_

### Proposed Use

Zai's Playworld is an adult supervised children's play center that offers a series of parent/child activities devoted to the physical, emotional and social development of children. We plan to offer a medium full scale play structure for the child and a smaller play structure for toddlers. In addition, we will also offer arcade games and special events for children. The facility will be designed to entertain, exercise and stimulate children ages 1 thru 12 while reinforcing good social skills in a group play environment.

Proposed Square Footage 2,600

### Proposed Hours of Operation:

Weekday From 10:00 To 8:00

Friday From 10:00 To 8:00

Saturday From 10:00 To 8:00

Sunday From 10:00 To 8:00

Trade Name of Business (If applicable) Zai Playworld

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Sizemore (First) Kyrah (MI) F

Mailing address of applicant (Street/P.O. Box): 5038 E Princess Anne RD

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone number of applicant (412) 888-7831 Fax (757) 855-1503

E-mail address of applicant: LOVEBUGSACADEMY@GMAIL.COM

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) SIZEMORE (First) KYRAH (MI) F

Mailing address of applicant (Street/P.O. Box): 5038 E. PRINCESS ANNE RD

(City) NORFOLK (State) VA (Zip Code) 23502

Daytime telephone number of applicant (713) 888-7831 Fax (757) 855-1503

E-mail address of applicant: LOVEBUGSACADEMY@GMAIL.COM

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) MEREDITH INVESTMENTS, L.L.C.  
MEREDITH (First) MARSHALL (MI) B.

Mailing address of property owner (Street/P.O. box): 2925 WOOD DUCK DRIVE

(City) Va. Beach (State) Va. (Zip Code) 23456

Daytime telephone number of owner (X) 5130660 email: MARSHALLMEREDITH@CCK.NET

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**CIVIC LEAGUE INFORMATION**

Civic League contact: TINA

Date(s) contacted:

Ward/Super Ward information:

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

~~MEREDITH INVESTMENTS, LLC~~ \* See below  
Print name: MARSHALL MEREDITH Sign: 1 1  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Kyrati Sizemore Sign: [Signature] 115  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

\* MARSHALL B. MEREDITH Manager of Meredith Investments LLC  
Print name: Marshall B. Meredith Sign: Marshall B. Meredith 9/2/2015  
(Authorized Agent Signature) (Date)  
Property owner

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508  
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569  
(Revised January, 2015)

# **Company Summary**

Zai's Playworld—Indoor Playground and Arcade is a start-up business that will be owned, operated and managed by Kyras Sizemore.

Zai's Playworld is an adult supervised children's play center that offers a series of parent/child activities devoted to the physical, emotional and social development of children. We plan to offer a medium full scale play structure for the child and a smaller play structure for toddlers. In addition, we will also offer arcade games and special events for children. The facility will be designed to entertain, exercise and stimulate children ages 1 thru 12 while reinforcing good social skills in a group play environment.

Zai's Playworld will be a great option anytime of the year. During the winter, children can burn off extra energy when it's too cold to play outside. And during the summer, children can beat the heat by running and playing in the comfort of an air conditioned facility.

Zai's Playworld would like to be available to the community 7 days a week from 10:00am-8:00pm.



## Pollock, Susan

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**From:** Straley, Matthew  
**Sent:** Thursday, September 10, 2015 10:55 AM  
**To:** 'foxhall23502@gmail.com'  
**Cc:** Riddick, Paul; Williams, Angelia M.; Howard, Oneiceia; Pollock, Susan  
**Subject:** new Planning Commission application - 5038 E Princess Anne Road, Suite C  
**Attachments:** Zais Playland.pdf

Ms. LeRoy,

Attached please find the application for a special exception to operate a commercial recreation center at 5038 E. Princess Anne Road, Suite C.

The item is tentatively scheduled for the October 22, 2015 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Susan Pollock Hart* at (757) 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Thank you.

**Matthew Straley**  
GIS Technician II  
Norfolk Department of City Planning  
810 Union Street, Suite 508 | Norfolk, Virginia 23510  
[Matthew.Straley@norfolk.gov](mailto:Matthew.Straley@norfolk.gov) | Tel: 757-664-4769 | Fax: 757-441-1569

**Department of Planning and Community Development  
Attention: Susan Pollock  
810 Union Street, Room 508  
Norfolk, Virginia 23510**

**Dear Susan Pollock, Principal Planner,**

**I am the elected President of the Fox Hall Civic League. We have reviewed Kyrh Sizemore's Proposed Plan for a Commercial Recreation Center to be located at 5038-C E. Princess Anne Rd, Norfolk, and we definitely favor it. This would be a welcome facility for the children around here and surrounding areas, so we request that you encourage the Planning Commission and the City Council to approve her application for a Special Exception.**

**Thank you,**

**Tina Giddens  
President of the  
Fox Hall Civic League**

A handwritten signature in cursive script, reading "Tina M. Giddens", with a long horizontal flourish extending to the right.